

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAPPER LABS, INC.,

Plaintiff,

v.

21 Civ. 1289 (PAE)

EMILY GOETZ AND JOHN DOES Nos 1 to 25

Defendants

AFFIDAVIT OF DEFENDANT EMILY GOETZ

I, Emily Goetz aver and attest that the following is true:

1. I reside in Brooklyn, New York.
2. I have never created or been involved in the creation or marketing of any blockchain tokens / cryptocurrency. The most cryptocurrency I have ever personally owned or traded is approximately \$1400 worth of Bitcoin, Ethereum, and Chainlink that I purchased in January, 2021, out of curiosity.
3. I have no knowledge and nothing to do with either plaintiff's "Flow Blockchain," or the "Flow Protocol" plaintiffs allege infringed their trademark. I have no connection to the symbol "\$Flow" or anything similar. I do not own the flowprotocol.io domain.
4. Plaintiffs allege they contacted me through counsel and attempted to address their allegations over a period of three months. This is false. I have no relationship with the counsel plaintiff's claim to have contacted, indeed no prior knowledge of their identity, and received no communication and had no knowledge of plaintiff's allegations prior to receipt of plaintiff's lawsuit on February 16th, 2021.
5. I have never retained any counsel on any matter beyond my relationship with my uncle, attorney Michael Goetz, who has assisted me with matters unrelated to plaintiffs and their allegations.
6. I have been the victim of a prolonged and painful campaign of stalking and harassment orchestrated by a former boyfriend, William Buehler, whom I briefly dated while an undergrad at the State University of New York at Binghamton.
7. While we were at Binghamton, Buehler sexually harassed and threatened me until ordered to stop by campus police. We were given an Order of No Contact and could not contact each other for the remainder of our time as students. We both graduated and I did not hear from him for several years.
8. Last year I was shocked when Buehler resumed stalking and harassing me. He issued numerous threats against me of death, rape and violence, including a threat to come to my hometown of Kerhonkson, New York to kill me if I visited my mother for Christmas. He recently posted that he was going to drive to my mother's house, and has hired "Pakistani hitmen" to come after me and a daughter that I do not have. He routinely asks others online to rape or kill me. (Exhibit E) He left a derogatory review of my employer's app on the Google Play Store, under his real

name, exhibiting the delusions that I have a child with a coworker, which I do not. (Exhibit H). He indicates in some posts that the lies are intended to "ruin my reputation" (Exhibit B), and he sent me dozens of text messages including repeatedly urging that if I "apologize", he will leave me alone (Exhibit G).

9. William Buehler launched a campaign of both signed and anonymous attacks spreading lies and slanders about me on the internet, constructing elaborate fantasies about me including that I am married, I am not; have a child, I do not; that my uncle sexually abused me as a child, he did not; that I am involved in the creation of cryptocurrencies/tokens, I am not; that 4chan users contacted me and "made me rich", they did not; and that I am in some way responsible for "scams" and other people's problems with their investments in cryptocurrency, I am not. (Exhibit A + Exhibit E)
10. Buehler is employing a strategy of "harassment by proxy" against me by posting lies and attacks against me in the dark corners of the internet seeking to get gullible and hateful strangers to dislike me, speak ill of me, and do me harm. It is shocking how much hateful chatter he has incited and how many he has duped. Telegram groups with thousands of members now believe that I am this scammer, and have indicated that they will find me and hurt me. (Exhibit K) This strategy of "harassment by proxy" is the same strategy used in other notable harassment campaigns, including the campaign against Guy Babcock outlined in a recent NY Times article (Exhibit O), and Gamergate (Exhibit P).
11. I submit with this affidavit copies of online threats and lies by Buehler and those he has incited to spew hate against me.
12. I have reported Buehler's threats, slanders and campaign of hate to security / law enforcement including my employer VENMO / PayPal, the NYPD (Exhibit L + Exhibit M), the NY State Police (Exhibit N), and the SUNY Binghamton PD. I have an ongoing relationship with NYPD victim services.
13. Buehler has successfully duped plaintiffs into acting as co-conspirators in his campaign of harassment against me, culminating in plaintiff's lawsuit to which I am not a proper party.
14. It is shocking that plaintiffs would be so reckless and slipshod as to name me as lead defendant in a lawsuit, with no more due diligence conducted than finding a few anonymous hearsay statements posted on such disreputable and unverifiable platforms as 4chan and Reddit, with no actual evidence or knowledge of my having harmed plaintiffs; none existing.
15. William Buehler's campaign of threats and harassment against me has damaged my professional reputation and caused me tremendous mental anguish. I live in constant fear for my life and safety. Plaintiff's frivolous lawsuit has added to this damage and anguish and will provide a veneer of legal / corporate respectability to the tissue of lies and hate surrounding me. Plaintiff's frivolous lawsuit, by identifying me in a government forum, makes it easier to pinpoint my location for those who could do me harm. **SHAME ON THEM.**

Signed under the pains and penalties of perjury,


Emily Goetz

MOSES GANTZ
Notary Public, State of New York
No. 01GA6320998
Qualified in Kings County
Commission Expires March 16, 2023


This 17th day of February, 2021

Sworn to me this 17 day of February, 2021

Notary Public



My commission expires: _____


MOSES GANTZ
Notary Public, State of New York
No. 01GA6320998
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DECLARATION OF DEFENDANT EMILY GOETZ
OPPOSING PLAINTIFF'S ORDER TO SHOW CAUSE FOR A
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

I, Emily Goetz declare as follows:

1. Plaintiff has filed its complaint in error. I am not a proper party to plaintiff's cause of action.
2. I have submitted an affidavit in support of my opposition documenting that I have not infringed plaintiff's trademark in any way.
3. My affidavit makes clear that plaintiff has been reckless and frivolous in bringing its cause of action, conducted no due diligence, and can present no credible evidence that I infringed plaintiff's trademark, caused any harm to plaintiff, or was even aware of the existence of plaintiff, its trademark, or products prior to receipt of plaintiff's lawsuit.
4. Anonymous posts on such disreputable forums as Reddit, 4chan, and Telegram falsely naming me, connecting me to the name "Morpheus" with which I have no connection, or calling me a "scammer" do not constitute sufficient evidence to bring legal action against me.
5. Plaintiffs are unable to present credible evidence that I harmed them or infringed their trademark. None exists.
6. Plaintiff's exhibit 8 consists of communication between plaintiffs and an attorney for Flow Protocol. I, Emily Goetz, am not named. I do not know the attorney named and have no connection to Flow Protocol or the Flow Protocol developer.
7. I am the victim of an ongoing campaign of lies, libel, death threats and harassment by a former boyfriend who has spread lies about me on the internet.
8. Granting the order and injunction plaintiff seeks will cause me harm by lending a veneer of respectability to the many baseless claims made against me, while providing no benefit to plaintiff whom I have never harmed and pose no threat of harming.

I declare under the pains and penalties of perjury the foregoing to be true.


Emily Goetz

This 17th day of February, 2021 in Brooklyn, New York